

1 NORMAN J. BLEARS (Bar No. 95600)  
2 *Norman.Blears@hellerehrman.com*  
3 ALEXANDER M. R. LYON (Bar No. 211274)  
4 *Alexander.Lyon@hellerehrman.com*  
5 HELLER EHRMAN LLP  
6 275 Middlefield Road  
7 Menlo Park, CA 94025-3506  
8 Telephone: +1.650.324.7000  
9 Facsimile: +1.650.324.0638

10 Attorneys for Defendant  
11 ANTONIO CANOVA

12 UNITED STATES DISTRICT COURT  
13 NORTHERN DISTRICT OF CALIFORNIA  
14 SAN FRANCISCO DIVISION

15 ANDREW E. ROTH, derivatively on behalf of  
16 BROCADE COMMUNICATIONS  
17 SYSTEMS, INC.,

18 Plaintiff,

19 v.

20 GREGORY REYES, MICHAEL BYRD,  
21 ANTONIO CANOVA, JACK CUTHBERT, and  
22 BROCADE COMMUNICATIONS SYSTEMS,  
23 INC.,

24 Defendants.

Case No.: C-06-2786

**STIPULATION AND ~~PROPOSED~~  
ORDER EXTENDING TIME FOR  
DEFENDANT ANTONIO CANOVA  
TO RESPOND TO THE AMENDED  
COMPLAINT**

The Honorable Charles R. Breyer

**STIPULATION**

WHEREAS, the complaint in this action was filed on April 24, 2006;

WHEREAS, defendant Brocade Communications Systems, Inc. ("Brocade") filed a motion to dismiss the complaint on June 8, 2006;

WHEREAS, plaintiff decided to amend the complaint in lieu of opposing the motion to dismiss;

WHEREAS, plaintiff and defendant Brocade stipulated that the amended complaint would be filed by July 14, 2006, with defendant Brocade's response thereto due on August 14, 2006;

WHEREAS, plaintiff and defendant Jack Cuthbert stipulated that Mr. Cuthbert's response to the amended complaint would be filed and served by August 28, 2006.

WHEREAS, the Court has approved the foregoing stipulations between plaintiff and defendants Brocade and Mr. Cuthbert;

WHEREAS, plaintiff filed his first amended complaint on July 14, 2006; and

WHEREAS, defendant Antonio Canova has requested to respond to the amended complaint by August 28, 2006, and plaintiff has agreed;

IT IS THEREFORE STIPULATED as follows:

Defendant Antonio Canova's response to the amended complaint shall be filed and served by August 28, 2006.

SO STIPULATED:

DATED: July 19, 2006

HELLER EHRMAN LLP

By /s/ Alexander Lyon

ALEXANDER M.R. LYON

Attorneys for Defendant Antonio Canova

1 DATED: July 19, 2006

SCHUBERT & REED LLP

2 BRAGAR WEXLER & EAGEL, P.C.

3 OSTRAGER CHONG FLAHERTY  
4 & BROITMAN P.C.

5  
6 By /s/Alexander Lyon with permission for  
7 WILLEM F. JONCKHEER  
8 Attorneys for Plaintiff Andrew E. Roth  
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10 \* \* \*

11 **ORDER**

12  
13 Good cause appearing, it is so ordered:  
14

15 DATED: July 20, 2006

